

2SHB 1854 - H AMD 313

By Representative Stokesbary

**NOT CONSIDERED 12/23/2019**

1 On page 13, line 4, after "understand." insert "Providers of  
2 facial recognition services are not required to provide documentation  
3 that:

4 (a) Reveals proprietary data, trade secrets, or intellectual  
5 property; or

6 (b) Increases the risk of cyberattacks, including cyberattacks  
7 related to unique methods of conducting business, data unique to  
8 products or services, or determination of prices or rates to be  
9 charged for products or services."

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11 On page 13, line 18, after "processed." insert "The requirements  
12 of this subsection do not apply to law enforcement agencies that are  
13 subject to the requirements in RCW 42.56.240(14)."

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15 On page 13, line 27, after "testing." insert "In complying with  
16 this subsection, providers of commercial facial recognition services  
17 are not required to provide information that:

18 (a) Reveals proprietary data, trade secrets, or intellectual  
19 property; or

20 (b) Increases the risk of cyberattacks, including cyberattacks  
21 related to unique methods of conducting business, data unique to  
22 products or services, or determination of prices or rates to be  
23 charged for products or services."

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25 On page 17, after line 12, insert the following:

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1       "(3) This section does not apply to law enforcement agencies when  
2 such agencies use facial recognition technology for purposes other  
3 than ongoing surveillance."

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EFFECT: Specifies that providers of facial recognition services are not required to provide certain documentation or information when complying with certain provisions related to facial recognition technology.

Exempts law enforcement agencies from the requirement that controllers must obtain consent from consumers prior to deploying facial recognition services if the agencies are subject to the Public Records Act provisions related to body-worn camera recordings, as set forth in RCW 42.56.240(14).

Exempts law enforcement agencies from the prohibition on using facial recognition technology to engage in ongoing surveillance when the agencies use the technology for purposes other than ongoing surveillance.

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